

Debtor(s).

Location: Video Hearing Rm 126, 3420 Twelfth St., Riverside, CA; ZoomGov information provided by the Court in its tentative ruling prior to the hearing

Overbid procedure (*if any*): See attached at page 3

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Date - July 12, 2022

Time - 10:00 a.m.

Ctrm - Video Hearing Room 126 at the United States Bankruptcy Court, Central District of California, 3420
Twelfth Street, Riverside, CA 92501

Contact person for potential bidders (*include name, address, telephone, fax and/or email address*):

Summer Shaw, Esq.
SHAW & HANOVER, PC
42-600 Cook Street, Suite 210
Palm Desert, CA 92211
Telephone No.: (760) 610-0000
Facsimile No.: (760) 687-2800
Email: ss@shaw.law

Date: 05/26/2022

Overbid procedure (if any):

Any potential overbidder is encouraged to obtain a copy of the Motion and contact Trustee's counsel at ss@shaw.law prior to the hearing, for access to all of the records relating to the Stock, after signing a non-disclosure agreement. The Stock will be sold subject to overbid at an open auction (the "Auction") to be conducted by the Trustee/the Court at the time that this Motion is heard. The Trustee has established the following overbid procedures, which shall govern any bidding:

1. Any person or entity that is interested in purchasing the Stock (the "Bidders") must serve the Trustee and his counsel with an initial bid in conformance with this paragraph ("Overbid"), such that any overbid is actually received no later than July 8, 2022 at 5:00 p.m. (the "Bid Deadline").
2. Any entity that submits a timely, conforming Overbid shall be deemed a "Qualified Bidder" and may bid for the Stock at the hearing. Unless otherwise permitted by the Court, any entity that fails to submit a timely, conforming bid shall be disqualified from bidding for the Stock.
3. The Trustee, subject to the rights of a Bidder or party in interest to raise an issue with the Court, shall have sole authority to determine whether a party is a Qualified Bidder.
4. Any Overbid must remain open until the conclusion of the auction ("Auction") of the Stock to be held at the hearing on this Motion.
5. Any Overbid must provide for a minimum purchase price of at least \$34,000.00.
6. Any Overbid must be for the Property "as is," "where is," no representations or warranties, "with all faults" and shall not contain any financing, due diligence, or any other contingency fee, termination fee, or any similar fee or expense reimbursement.
7. Any Overbid must be accompanied by a deposit of \$30,000 in certified funds, which funds shall be nonrefundable if the bid is determined by the Court to be the highest and best bid for the Property (the "Best Bid"), and proof satisfactory to the Trustee that such bidder has sufficient funds on hand to complete the sale.
8. Any Overbid must be made by a person or entity who has completed its due diligence review of the Stock and is satisfied with the results thereof.
9. Qualified Overbids must be submitted by July 8, 2022 at 5:00 p.m.
10. If the Trustee receives a timely, conforming Overbid for the Stock, the Court will conduct an auction of such property at the hearing, in which all Qualified Bidders may participate. The Auction shall be governed by the following procedures: (a) All Qualified Bidders shall be deemed to have consented to the core jurisdiction of the Bankruptcy Court and to have waived any right to jury trial in connection with any disputes relating to the Auction or the sale of the Stock; (b) The minimum bidding increment during the Auction shall be \$1,000; (c) Bidding shall commence at \$34,000 (\$1,000 over Buyer's initial bid plus the Break-Up Fee); and (d) The Court will determine which of the bids is the best bid (the "Successful Bidder").
11. The Successful Bidder must pay, at the closing, all amounts reflected in the Best Bid in cash and such other consideration as agreed upon.
12. Closing shall occur within ten (10) days of the Court entering an order approving this sale to the Buyer/Successful Bidder.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**42-600 Cook Street, Suite 210,
Palm Desert, CA 92211**

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 06/15/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Howard B Grobstein (TR) hbgtrustee@gtllp.com, C135@ecfcbis.com
Valerie Smith claims@recoverycorp.com
United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
Stephen R Wade srw@srwadelaw.com, reception@srwadelaw.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 06/15/2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

JUDGE'S COPY

Honorable Scott Clarkson
United States Bankruptcy Court
411 West Fourth Street, Suite 5130
Santa Ana, CA 92701-4593

☐ Service information continued on attached page 4

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

06/15/2022

Teresa Stone

Date

Printed Name

Signature

2. Served by US Mail Cont.:

Advantage Leasing
Dept 59475
Milwaukee, WI 53259-0001

Advantage Leasing Corporation
13400 Bishop's Lane, Suite 280
Brookfield, WI 53005-6237

Ally Financial
P.o. Box 380901
Bloomington, MN 55438-0901

American Express National Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Amex
P.o. Box 981537
El Paso, TX 79998-1537

BMO Harris Bank N.A.
3925 Fountains Dr NE
Cedar Rapids, IA 52411-6619

Bank Of America
Po Box 982238
El Paso, TX 79998-2238

Brian W. Ayala-Siciliano
10251 56th Street
Mira Loma, CA 91752-2335

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

Citicards Cbra
Po Box 6217
Sioux Falls, SD 57117-6217

Commercial Collection of America
c/o Swift Capital
161 I St.
Fremont, CA 94536-2906

Financial Pacific Leasing
3455 S. 344th Way, Ste. 300
Federal Way, WA 98001-9546

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

(p)LBS FINANCIAL CREDIT UNION
ATTENTION JUAN FLORES & ERICA ALFARO
P O BOX 4860
LONG BEACH CA 90804-0860

LBS Financial Credit Union
c/o PRENOVOST, NORMADIN,
BERGH & DAWE
2122 N. Broadway, Suite 200
Santa Ana, CA 92706-2614

Northstar Location Services, LLC
Attn: Financial Services Dept
4285 Gebesee St.
Cheektowaga, NY 14225-1943

Roundpoint Mtg
5032 Parkway Plaza Blvd
Charlotte, NC 28217-1918

(p)SCRATCH FINANCIAL INC
ATTN CATHY MORSE COMPLIANCE
225 S LAKE AVE
SUITE 250
PASADENA CA 91101-4895

(p)STEARNS BANK NATIONAL ASSOCIATION
ATTN LEGAL DEPARTMENT
4191 2ND STREET SOUTH
ST CLOUD MN 56301-3761

Summit Bank
96 E Broadway Ste E
Eugene, OR 97401-3135

TD Auto Finance
P. O. Box 16040
Lewiston, ME 04243-9521

TD Auto Finance
P. O. Box 551080
Jacksonville, FL 32255-1080

TD Auto Finance
P. o. Box 9223
Farmington, MI 48333-9223

Tire's Warehouse Incorporated
240 Teller St.
Corona, CA 92879-1886

Jeffrey B Smith
301 E Ocean Blvd Ste 1700
Long Beach, CA 90802-8812

WebBank
215 South State Street, Suite 1000
Salt Lake City, UT 84111-2336

William E. Ayala
5506 Norman Way
Riverside, CA 92504-1634